

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

TYRONE HARRIS,)	
)	
Movant,)	
)	Case No. 20-00914-CV-W-GAF-P
vs.)	Crim. No. 11-00038-01-CR-W-GAF
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

ORDER

Movant, who is currently confined at the FCI Florence in Florence, Colorado, has filed a motion to vacate, set aside, or correct his sentence in the above-numbered criminal case pursuant to 28 U.S.C. § 2255. Doc. 7. As set forth in Respondent’s response, Movant has filed a previous motion pursuant to 28 U.S.C. § 2255, *see Harris v. United States*, No. 15-00124-CV-W-GAF (W.D. Mo. Feb. 19, 2015), which was denied. In the present case, Movant argues that he is entitled to relief pursuant to the United States Supreme Court’s decision in *Johnson v. United States*, 135 S. Ct. 2551 (2015). Docs. 7, 8.

Before the district court may consider a second or successive motion for relief under Section 2255, the prisoner “shall move in the appropriate court of appeals for an order authorizing the district court to consider the [motion].” 28 U.S.C. § 2244(b)(3)(A); *see also* 2255(h)(1) and (2). Because Movant has not obtained the required authorization from the United States Court of Appeals for the Eighth Circuit, this case must be dismissed, without prejudice, for lack of jurisdiction.

Accordingly, it is **ORDERED** that this case is dismissed, without prejudice, for lack of jurisdiction pursuant to 28 U.S.C. § 2244(b)(3)(A) and 28 U.S.C. § 2255.

/s/ Gary A. Fenner
GARY A. FENNER, JUDGE
UNITED STATES DISTRICT COURT

Dated: February 2, 2021.